

**United States District Court
for the
Northern District of New York
Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Thomas Simmons Case Number: 5:05CR00203-6
Name of Sentencing Judicial Officer: Honorable Frederick J. Scullin, Jr., Senior U.S. District Judge
Date of Original Sentence: August 28, 2007
Violation Date: October 1, 2015
Original Offense: Conspiracy to Possess with Intent to Distribute and to Distribute Cocaine and Cocaine Base 21 U.S.C. § 846
Violation Offense: New Criminal Conduct: Credit Card Fraud, Travel Outside the District Without Permission
Original Sentence: 120 months imprisonment, 8 years supervised release
Violation Sentence: 24 months imprisonment, 6 years supervised release
Type of Supervision: Supervised release Date Supervision Commenced: December 30, 2016
Asst. U.S. Attorney: Tamara Thomson Defense Attorney: James Greenwald, AFD

PETITIONING THE COURT

[X] To issue a warrant
[] To issue a summons

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number Nature of Noncompliance

- 1 **General Condition #1: The defendant shall not violate any federal, state or local laws.** On January 4, 2018, the defendant was arrested and charged with Criminal Possession of Marijuana(NYS PL-221.15), a Class A misdemeanor, Unlawful Possession of Marijuana(NYS PL-221.05), a violation and Obstructed License Plate(NYS VTL-402(1)), a traffic violation. This information is based on City of Syracuse Police Reports. (Grade C Violation)
- 2 **Standard Condition #7: The defendant shall not use or possess any controlled substance or any paraphernalia related to controlled substances.** On January 4, 2018, the defendant was the subject of a vehicle and traffic stop conducted by the Syracuse Police Department. Officers located an aggregate weight of 68 grams of marijuana. According to police reports, when officers asked the defendant if there was marijuana in the car, he stated: "Yeah, I have a few bags in the glove box". This information is based on City of Syracuse Police Reports. (Grade C Violation)

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- 3 **Standard Condition #9: The defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony offense.** According to police reports, on April 21, 2017, the defendant was operating a motor vehicle in the City of Syracuse and was the subject of a vehicle and traffic stop. Officers identified the passenger as being, Jonathan Fuentes, who is a known felon and currently on federal supervision for Felon in Possession of a Firearm. This information is based on Syracuse Police Reports and Court Records. (Grade C Violation)
- 4 **Standard Condition #9: The defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony offense.** According to police reports, on September 29, 2017, at approximately 1:00am, Syracuse Police investigating a suspicious vehicle complaint, identified the defendant as possessing a 2017 Chevrolet Suburban. Police also identified the front seat passenger as Jamiah Bowens. Bowens provided police with a false name and attempted to flee police custody. Upon a physical search of Bowens, police located 15 grams of marijuana and further confirmed he had two active warrants for his arrest. Police also detected an odor of marijuana emanating from the vehicle. This information is based on Syracuse Police Reports. (Grade C Violation)

U.S. Probation Officer Recommendation:

The term of supervision should be:

☒ Revoked☐ Extended for year(s), for a total term of years.☐ The conditions of supervision should be modified as follows:

I declare under penalty of perjury that the foregoing is true and correct.

Executed

January 25, 2018

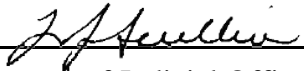
on:

Approved by:

by:

- ☐ No Action
☒ The Issuance of a Summons
☐ Other
☐ The Issuance of a Warrant. This petition and all documents attached hereto are **SEALED** until such time as the warrant generated by this petition is returned executed.

The District Court Clerk's Office is hereby **ORDERED NOT** to serve a copy of this petition or any of the attached documents upon anyone EXCEPT that a copy is to be served upon law enforcement personnel. Copies shall be served upon the unsealing of the petition.



Signature of Judicial Officer

January 25, 2018

Date